

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE**

**ANGELA UPCHURCH and ROBERT
UPCHURCH,**

Plaintiffs,

v.

**JADEN WOODS HORN and
TENNESSEE VALLEY AUTHORITY,**

Defendants.

Docket Number: 3:22-CV-00431

JURY DEMAND

PLAINTIFFS' INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26

COME NOW the Plaintiffs ANGELA UPCHURCH and ROBERT UPCHURCH, by and through counsel, and submit their Fed. R. Civ. P. 26 Initial Disclosures. These initial disclosures are made without waiving (1) the right to object on grounds of competency, privilege, work product doctrine, relevancy and materiality, hearsay, or any other proper grounds; and (2) the right to object on any known grounds at any time, to other discovery requests or proceeding involving or relating to the subject matter of these disclosures.

Rule 26(a)(1)(A)(i): The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.

RESPONSE: Plaintiffs' investigation regarding this case is ongoing and they reserve the right to supplement and/or amend this response if and when additional information becomes available or is discovered, identified, deemed relevant or inadvertently omitted. Subject to and without waiving the foregoing, Plaintiffs identify the following persons or entities in response to this request:

Angela Upchurch
380 Miston Tank Rd
Ridgely, TN 38080
(731) 334-9132

Ms. Upchurch has discoverable information regarding the facts of the incident that is the subject of this cause of action, her injuries and treatment, and the damages she is seeking.

Robert Upchurch

380 Miston Tank Rd
Ridgely, TN 38080
(731) 334-9132

Mr. Upchurch has discoverable information regarding the facts of the incident that is the subject of this cause of action, his wife's injuries and treatment, his loss of consortium claims, and the damages they are seeking.

Trooper Bradley Keeton

TENNESSEE HIGHWAY PATROL – DISTRICT 8
336 Smith Lane
Jackson, TN 38301
(731) 423-6635

Jaden Woods Horn

75 Rifle Lane
Lexington, TN 38351
(423) 751-1010

Mr. Horn has discoverable information regarding the facts of the incident that is the subject of this cause of action, his employment, his employment-related activities at the time of the incident, and his driving record.

Tennessee Valley Authority

TVA likely has information relating to its employment and/or contract relationship with Defendant James Woods Horn.

Medical Center EMS

PO Box 309
Lewisville, NC 27023-0309
(800) 814-5339

Medical Center EMS has information regarding medical treatment and care it provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of its charges for the treatment and care provided.

West Tennessee Healthcare Dyersburg Hospital

400 E Tickle Street
Dyersburg, TN 38024
(731) 285-2410

West Tennessee Healthcare Dyersburg Hospital has information regarding medical treatment and care it provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of its charges for the treatment and care provided.

West Tennessee Bone & Joint

219 Stonebridge Boulevard
Jackson, TN 38305
(731) 661-9825

West Tennessee Bone & Joint has information regarding medical treatment and care it provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of its charges for the treatment and care provided.

Dr. John Douglas Haltom, Jr.

219 Stonebridge Boulevard
Jackson, TN 38305
(731) 661-9825

Dr. John Douglas Haltom, Jr. has information regarding medical treatment and care he provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of his charges for the treatment and care provided.

Drake Parker

2035 St. John Avenue, Suite 2
Dyersburg, TN 38024
(731) 325-5515

Drake Parker has information regarding medical treatment and care he provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of his charges for the treatment and care provided.

Danielle Lanade

2035 St. John Avenue, Suite 2
Dyersburg, TN 38024
(731) 325-5515

Danielle Lanade has information regarding medical treatment and care she provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of her charges for the treatment and care provided.

Shawn Stork

2035 St. John Avenue, Suite 2
Dyersburg, TN 38024
(731) 325-5515

Shawn Stork has information regarding medical treatment and care he provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of his charges for the treatment and care provided.

Laurie Ward

2035 St. John Avenue, Suite 2
Dyersburg, TN 38024
(731) 325-5515

Laurie Ward has information regarding medical treatment and care she provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of her charges for the treatment and care provided.

Star Physical Therapy

2035 St. John Avenue, Suite 2

Dyersburg, TN 38024

(731) 325-5515

Star Physical Therapy has information regarding medical treatment and care it provided to Angela Upchurch as a result of the incident that is the subject of this cause of action, as well as the reasonableness, necessity of its charges for the treatment and care provided.

Any other individuals or entities that have provided or continue to provide Plaintiff(s) with medical treatment, whose identities are known to Plaintiff(s).

Any individuals who witnessed the incident, whose names, addresses, and telephone numbers are unknown to Plaintiff.

Any witnesses designated by Defendant in their Rule 26(a)(1) Initial Disclosures

Rule 26(a)(1)(A)(ii): A copy – or description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

RESPONSE: Plaintiffs' investigation regarding this case is ongoing and it reserves the right to supplement and/or amend this response if and when additional information becomes available or is discovered, identified, deemed relevant or inadvertently omitted. Subject to and without waiving the foregoing, the following documents may be used to support Plaintiff's claims, except for those documents used solely for impeachment purposes:

All documents, communications, and/or photographs identified or produced by Defendants pursuant to Rule 26(a)(1) or in response to Plaintiff's discovery requests or Defendants' discovery requests.

Any medical reports or bills produced by Plaintiff or obtained by subpoena.

Rule 26(a)(1)(A)(iii): A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

RESPONSE: Plaintiffs' investigation regarding this case is ongoing and it reserves the right to supplement and/or amend this response if and when additional information becomes available or is discovered, identified, deemed relevant or inadvertently omitted. Subject to and without waiving the foregoing, the following damages are claimed by the Plaintiffs:

For Plaintiff Angela Upchurch:

(a) Past medical bills - \$72,390.85

EMS	12/19/2021	\$1,766.60
West TN Bone and Joint	12/20/2021-06/28/2022	\$6,662.00
Star Physical Therapy	01/11/2022-03/22	\$3,181.00
West TN Healthcare Dyersburg Hospital	12/19/2021	\$2,261.50
	12/20/2021	\$37,593.00
	6/14/2022	\$12,182.75
Nichols Park ER Phys	12/19/2021	\$8,744.00
TOTAL		\$72,390.85

- (b) Future medical bills – To be determined by the jury;
- (c) Past physical pain and mental anguish – To be determined by the jury;
- (d) Future physical pain and mental anguish – To be determined by the jury;
- (e) Past and future inability to enjoy the normal pleasures of life– To be determined by the jury;
- (f) Lost wages – To be determined by the jury;
- (g) Loss of earning capacity – To be determined by the jury; and,
- (h) All other damages proven at trial to be so entitled.

For Plaintiff Robert Upchurch:

- (a) Pain, mental anguish and suffering, past and future – To be determined by the jury;
- (b) Loss of consortium – To be determined by the jury;
- (c) Loss of enjoyment of life, past and future– To be determined by the jury; and,
- (d) All other damages proven at trial to be so entitled.

Rule 26(a)(1)(A)(iv): For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

RESPONSE: Any insurance agreement or self-insurance held by the Defendants.

Respectfully submitted,

WETTERMARK & KEITH, LLC

BY: /s/Nathan Evans

NATHAN E. EVANS, BPR #024412

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CERTIFICATE OF SERVICE

I certify that on April 27, 2023, a copy of Angela and Robert Upchruch's Initial Disclosures was served via US mail on the following:

F. Laurens Brock

ADAMS AND REESE LLP

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TENNESSEE VALLEY AUTHORITY

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/s/Nathan Evans

Attorney for the Plaintiffs